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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,368	02/13/2004	Lester F. Ludwig	2152-3035	7886

22242 7590 12/05/2008

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SUITE 1600
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EXAMINER	
BONSHOCK, DENNIS G	
ART UNIT	PAPER NUMBER
2173	

MAIL DATE	DELIVERY MODE
12/05/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/779,368	LUDWIG, LESTER F.	
	Examiner	Art Unit	
	DENNIS G. BONSHOCK	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 September 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Final Rejection

Response to Amendment

It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment as received on 9-5-2008.

Claims 1-39 have been examined.

Status of Claims:

Claims 1-23, 31-34, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baudel et al., Patent Number: 5,666,499, hereinafter Baudel, Barber et al., Patent Number: 5,586,243, hereinafter Barber, and Meriaz, Publication Number: US 2002/0113776.

Claims 24-27 (which depend on claim 1) and 35 (which depends on claim 31) are rejected under 35 U.S.C. 103(a) as being unpatentable over Baudel et al., Patent Number: 5,666,499, hereinafter Baudel, Barber et al., Patent Number: 5,586,243, hereinafter Barber, Meriaz, Publication Number: US 2002/0113776, and Lee, Patent Number: 5,999,169.

Claims 28 and 30 (which depend on claim 1) and Claim 36 and 38 (which depend on claim 31) are rejected under 35 U.S.C. 103(a) as being unpatentable over Baudel et al., Patent Number: 5,666,499, hereinafter Baudel, Barber et al., Patent Number: 5,586,243, hereinafter Barber, Meriaz, Publication Number: US 2002/0113776, Lee, Patent Number: 5,999,169, and White, “How Computers Work”.

Claims 29 (which depends on claim 1) and 37 (which depends on claim 31) are rejected under 35 U.S.C. 103(a) as being unpatentable over Baudel et al., Patent

Number: 5,666,499, hereinafter Baudel, Barber et al., Patent Number: 5,586,243, hereinafter Barber, Meriaz, Publication Number: US 2002/0113776, and White, "How Computers Work".

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-23, 31-34, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baudel et al., Patent Number: 5,666,499, hereinafter Baudel, Barber et al., Patent Number: 5,586,243, hereinafter Barber, and Meriaz, Publication Number: US 2002/0113776.

3. With regard to claim 1, which teaches a method for facilitating computer editing of an electronic document, said electronic document comprising a plurality of objects that are graphically rendered in a layout comprising a plurality of unique locations, said method comprising: positioning a first cursor at a first location within said electronic document, positioning a second cursor at a second location within said electronic document, wherein said first and second cursors are independently displayable and independently positionable at any of said plurality of unique location of said electronic document, Baudel teaches, in column 5, lines 40-65, a method for editing a electronic

document where objects are manipulated via a primary cursor [402], controlled by a primary pointer device [114], and a secondary cursor [410], controlled by a secondary pointer device [116], where the cursors are independently displayable and independently positionable. With regard to claim 1, which teaches defining a selection string based upon a selected contiguous arrangement of at least one object of said plurality of objects, Baudel teaches, in column 8, lines 1-12, making a context selection with their non-dominant hand (secondary cursor). With regard to claim 1, which teaches transferring said selection string to a location within said electronic document as determined by said second location of said second cursor, Baudel teaches, in column 8, lines 1-12, transferring (pasting) the object to a new location defined by the position of the dominant hand (primary cursor).

Baudel teach, a system to allowing two different cursors to be moved independently upon a user interface (see column 5, lines 40-58), but doesn't specifically teach controlling the positioning of the first and second cursor base upon the movement of one user interface device. Barber teaches a system where multiple cursors are available for a user to control the display, where the system optional has multiple control devices to control the cursor independently (see column 2, line 61 through column 3, line 30 and column 14, lines 1-5), similar to that of Buadel, but further teaches a system in which multiple cursor can optionally be controlled by the same control device (see column 11, line 55 through column 12, line 4). It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel and Barber before him at the time the invention was made to modify the two input device control of Baudel, to use the

single input device to control multiple cursors, as did Barber. One would have been motivated to make such a combination because this provides for the control of multiple cursors without requiring a second control device to control the second cursor, thereby encompassing multiple controls in one device.

Baudel and Barber teach the use of two different control devices to control two different pointers (supra), but don't specifically teach the two different control devices, each with their own sensors, being location on the same device. Meriaz teaches using two different input control devices for cursor control (see paragraphs 12 and 13 and figures 1-3), similar to that of Baudel and Barber, but further teaches the two separate control devices being located within the same device, each having their own sensors to receive input from the user (see paragraphs 12 and 13 and figures 1-3). It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel, Barber, and Meriaz before him at the time the invention was made to modify the use of two different control devices to control two different pointers to locate both of the control devices in the same device. One would have been motivated to make such a combination because this allows for multidimensional control via one device controlled with one hand.

4. With regard to claim 2, which teaches transferring comprises a copy and paste operation, Baudel teaches, in column 8, lines 1-12 and column 4, lines 23-29, transferring via a copy and paste operation.

5. With regard to claim 3, which teaches transferring comprises a cut and paste operation, Baudel teaches, in column 8, lines 1-12 and column 4, lines 23-29, transferring via a cut (delete) and paste operation.

6. With regard to claim 4, which teaches transferring is repeated responsive to user input, Baudel teaches, in column 8, lines 1-12 and column 4, lines 23-29, transferring via a copy and paste operation. The Examiner takes OFFICIAL NOTICE that is well know in the art that a user can subsequently reiterate a paste action to re-paste an object located on the clipboard.

7. With regard to claim 5, which teaches position said second cursor at a third location within said electronic document; and transferring said selection string t a location within said electronic document as determined by said third location of said second cursor, Baudel teaches, in column 8, lines 1-12, transferring (pasting) the object to a new location defined by the position of the dominant hand (primary cursor).

8. With regard to claims 6 and 32, which teach repeatedly repositioning said second cursor at new locations within said electronic document; and transferring said selection string to each of a plurality of new locations within said electronic document as determined by said repeatedly reposition said second cursor, Baudel teaches, in column 8, lines 1-12, transferring (pasting) the object to a new location defined by the position of the dominant hand (primary cursor). Baudel teaches, in column 8, lines 1-12 and column 4, lines 23-29, transferring via a copy and paste operation. The Examiner takes OFFICIAL NOTICE that is well know in the art that a user can subsequently reiterate a paste action to re-paste an object located on the clipboard.

9. With regard to claim 7, which teaches the selection string being defined before said second cursor is positioned at said second location within said electronic document, Baudel teaches, in column 8, lines 1-12, context is selected with the non-dominant hand prior to the dominant hand pasting where the dominant hand is further positionable for pasting.

10. With regard to claim 8, which teaches the selection string being defined after said second cursor is positioned at said second location within said electronic document, Baudel teaches, in column 8, lines 1-12, context is selected with the non-dominant hand prior to the dominant hand being pasting. The user could first place the dominant hand in a position they desire to have content placed, then select the content, and then paste in the previously positioned area.

11. With regard to claims 9 and 33, which teach the first and second cursors are simultaneously displayed and positionable in a common graphical user interface window, Baudel teaches, in column 8, lines 1-12, the first and second cursors being simultaneously displayed and positionable in the same GUI window.

12. With regard to claim 10, which teaches the first and second location are separated by a distance such that said first and second cursors are unable to be simultaneously displayed in a common graphical user interface window, and wherein only one of said first and second cursors is displayed when said graphical user interface window displays a portion of said electronic document that comprise a selected one of said first and second cursors, Baudel teaches, in column 5, lines 40-65 and in figures 4A and 4B, separating the first and second cursors by a distance, where in the

described embodiment the two cursors are displayed in different windows (primary cursor [402] located in the main window [400] and a secondary cursor [410] located in the tool palette [406]). Baudel, however, doesn't specifically teach only one of the cursors being displayed at a time.

Barber teaches a system where multiple cursors are available for a user to control the display, where the system optional has multiple control devices to control the cursor independently (see column 2, line 61 through column 3, line 30 and column 14, lines 1-5), similar to that of Buadel, but further teaches a system that when one cursor gains focus that window can obscure other window (containing pointers) thereby only providing one cursor for display at a time (see column 11, line 55 through column 12, line 4, column 7, lines 49-60 and figures 10 and 11). It would have been obvious to one of ordinary skill in the art, having the teachings of Barber before him at the time the invention was made that windows could be expanded in their maximized state, obscuring other windows and their associated pointers. It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel and Barber before him at the time the invention was made to modify the multiple cursor system of Baudel to include the window specific cursors as did Baudel. One would have been motivated to make such a combination because this provides dedicated cursors that can be call their respective windows into focus.

13. With regard to claim 11, which teaches the first and second location are separated by a distance such that said first and second cursors are unable to be simultaneously displayed in a common graphical user interface window, and wherein

only one of said first and second cursors are positionable when said graphical user interface window displays a portion of said electronic document that comprises a selected one of said first and second cursors, Baudel teaches, in column 5, lines 40-65 and in figures 4A and 4B, separating the first and second cursors by a distance, where in the described embodiment the two cursors are displayed in different windows (primary cursor [402] located in the main window [400] and a secondary cursor [410] located in the tool palette [406]). Baudel, however, doesn't specifically teach only being able to position one cursor at a time.

Barber teaches a system where multiple cursors are available for a user to control the display, where the system optional has multiple control devices to control the cursor independently (see column 2, line 61 through column 3, line 30 and column 14, lines 1-5), similar to that of Buadel, but further teaches a system that when one cursor gains focus that window can obscure other window (containing pointers) thereby only providing one cursor for movement at a time (see column 11, line 55 through column 12, line 4, column 7, lines 49-60 and figures 10 and 11), furthermore the preferred embodiment of Barber provides one input device for controlling multiple cursors, one at a time (see column 14, lines 1-4). It would have been obvious to one of ordinary skill in the art, having the teachings of Barber before him at the time the invention was made that windows could be expanded in their maximized state, obscuring other windows and their associated pointers. It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel and Barber before him at the time the invention was made to modify the multiple cursor system of Baudel to include the window specific

cursors, controlled by a single pointer, as did Baudel. One would have been motivated to make such a combination because this provides dedicated cursors that can be call their respective windows into focus.

14. With regard to claims 12 and 13, which teach the GUI window displays a portion of said electronic document that comprises a last positioned one of said first and second cursors, Barber teaches, in column 5, lines 37-46 and in column 13, lines 49-57, the cursor of current focus moves its corresponding focus window to the forefront of the display.

15. With regard to claims 14 and 15, which teach positioning of said first cursor is controlled by a first user interface sensor, and said positioning of said second cursor is controlled by a second user interface sensor, a primary cursor [402], controlled by a primary pointer device [114], and a secondary cursor [410], controlled by a secondary pointer device [116]. With regard to claims 14 and 15, which further teach said GUI window displays a portion of said electronic document comprising one of said first and second cursors that is associated with a last manipulated one of said first and second user interface sensors, Barber teaches, in column 5, lines 37-46 and in column 13, lines 49-57, the cursor of current focus moves its corresponding focus window to the forefront of the display.

16. With regard to claims 16 and 17, which teach a user interface selection event selectively causes said graphical user interface window to display either a portion of said electronic document that comprises said first cursor, or a portion of said electronic document that comprises said second cursor, Buadel teaches a system that when one

cursor gains focus that window can obscure other window (containing pointers) thereby only providing one cursor for display at a time (see column 11, line 55 through column 12, line 4, column 7, lines 49-60 and figures 10 and 11). It would have been obvious to one of ordinary skill in the art, having the teachings of Barber before him at the time the invention was made that windows could be expanded in their maximized state, obscuring other windows and their associated pointers.

17. With regard to claim 18, which teaches the first cursor being displayed within a first graphical user interface window, and the second cursor being displayed within a second graphical user interface window, Baudel teaches, in column 5, lines 40-58, the primary cursor [402] being displayed in the main areas [400], and the secondary cursor [410] being displayed in the tool palette [406].

18. With regard to claim 19, which teaches the first cursor being positionable within a first graphical user interface window, and the second cursor being positionable within a second graphical user interface window, Baudel teaches, in column 5, lines 40-58, the primary cursor [402] being positionable in the main areas [400], and the secondary cursor [410] being positionable in the tool palette [406].

19. With regard to claim 20, which teaches one or more of the plurality of objects comprise a text symbol, Baudel teaches, in column 4, lines 30-49 and in figure 3, one of the objects being a text symbol [306].

20. With regard to claim 21, which teaches one or more of the plurality of objects comprise a text object, Baudel teaches, in column 4, lines 30-49 and in figure 3, one of the objects being a text object [306].

21. With regard to claim 22, which teaches one or more of the plurality of objects comprise a graphical object, Baudel teaches, in column 4, lines 30-49 and in figure 3, one of the objects being a graphics object [304,306,308,310].

22. With regard to claims 23 and 34, Baudel teaches, in column 5, lines 40-58, a primary cursor being controlled by a primary pointing device, and a secondary cursor being controlled by a secondary pointing device.

23. With regard to claim 31, which teaches a computer media product implementing a method for facilitating computer editing of an electronic document comprising a plurality of objects that are graphically rendered in a layout comprising a plurality of unique locations, said computer media product comprising computer programmable code implementing: positioning a first cursor at a first location within said electronic document, positioning a second cursor at a second location within said electronic document, wherein said first and second cursors are independently displayable and independently positionable at any of said plurality of unique location of said electronic document, Baudel teaches, in column 5, lines 40-65, a method for editing a electronic document where objects are manipulated via a primary cursor [402], controlled by a primary pointer device [114], and a secondary cursor [410], controlled by a secondary pointer device [116], where the cursors are independently displayable and independently positionable. With regard to claim 31, which teaches defining a selection string based upon a selected contiguous arrangement of at least one object of said plurality of objects, Baudel teaches, in column 8, lines 1-12, making a context selection with their non-dominant hand (secondary cursor). With regard to claim 31, which

teaches transferring said selection string to a location within said electronic document as determined by said second location of said second cursor, Baudel teaches, in column 8, lines 1-12, transferring (pasting) the object to a new location defined by the position of the dominant hand (primary cursor).

Baudel teach, a system to allowing two different cursors to be moved independently upon a user interface (see column 5, lines 40-58), but doesn't specifically teach controlling the positioning of the first and second cursor base upon the movement of one user interface device. Barber teaches a system where multiple cursors are available for a user to control the display, where the system optional has multiple control devices to control the cursor independently (see column 2, line 61 through column 3, line 30 and column 14, lines 1-5), similar to that of Buadel, but further teaches a system in which multiple cursor can optionally be controlled by the same control device (see column 11, line 55 through column 12, line 4). It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel and Barber before him at the time the invention was made to modify the two input device control of Baudel, to use the single input device to control multiple cursors, as did Barber. One would have been motivated to make such a combination because this provides for the control of multiple cursors without requiring a second control device to control the second cursor, thereby encompassing multiple controls in one device.

Baudel and Barber teach the use of two different control devices to control two different pointers (supra), but don't specifically teach the two different control devices, each with their own sensors, being location on the same device. Meriaz teaches using

two different input control devices for cursor control (see paragraphs 12 and 13 and figures 1-3), similar to that of Baudel and Barber, but further teaches the two separate control devices being located within the same device, each having their own sensors to receive input from the user (see paragraphs 12 and 13 and figures 1-3). It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel, Barber, and Meriaz before him at the time the invention was made to modify the use of two different control devices to control two different pointers to locate both of the control devices in the same device. One would have been motivated to make such a combination because this allows for multidimensional control via one device controlled with one hand.

24. With regard to claim 39, which teaches a method for facilitating computer editing of an electronic document, said electronic document comprising a plurality of objects that are graphically rendered in a layout comprising a plurality of unique locations, said method comprising: positioning a first cursor at a first location within said electronic document, positioning a second cursor at a second location within said electronic document, wherein said first and second cursors are independently displayable and independently positionable at any of said plurality of unique location of said electronic document, Baudel teaches, in column 5, lines 40-65, a method for editing a electronic document where objects are manipulated via a primary cursor [402], controlled by a primary pointer device [114], and a secondary cursor [410], controlled by a secondary pointer device [116], where the cursors are independently displayable and

independently positionable. With regard to claim 39, which teaches defining a selection string based upon a selected contiguous arrangement of at least one object of said plurality of objects, Baudel teaches, in column 8, lines 1-12, making a context selection with their non-dominant hand (secondary cursor). With regard to claim 39, which teaches transferring (said selection string) to a location within said electronic document as determined by said second location of said second cursor, Baudel teaches, in column 8, lines 1-12, transferring (pasting) the object to a new location defined by the position of the dominant hand (primary cursor).

Baudel teach, a system to allowing two different cursors to be moved independently upon a user interface (see column 5, lines 40-58), but doesn't specifically teach controlling the positioning of the first and second cursor base upon the movement of one user interface device. Barber teaches a system where multiple cursors are available for a user to control the display, where the system optional has multiple control devices to control the cursor independently (see column 2, line 61 through column 3, line 30 and column 14, lines 1-5), similar to that of Buadel, but further teaches a system in which multiple cursor can optionally be controlled by the same control device (see column 11, line 55 through column 12, line 4). It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel and Barber before him at the time the invention was made to modify the two input device control of Baudel, to use the single input device to control multiple cursors, as did Barber. One would have been motivated to make such a combination because this provides for the control of multiple

cursors without requiring a second control device to control the second cursor, thereby encompassing multiple controls in one device.

Baudel and Barber teach the use of two different control devices to control two different pointers (supra), but don't specifically teach the two different control devices, each with their own sensors, being location on the same device. Meriaz teaches using two different input control devices for cursor control (see paragraphs 12 and 13 and figures 1-3), similar to that of Baudel and Barber, but further teaches the two separate control devices being located within the same device, each having their own sensors to receive input from the user (see paragraphs 12 and 13 and figures 1-3). It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel, Barber, and Meriaz before him at the time the invention was made to modify the use of two different control devices to control two different pointers to locate both of the control devices in the same device. One would have been motivated to make such a combination because this allows for multidimensional control via one device controlled with one hand.

25. Claims 24-27 (which depend on claim 1) and 35 (which depends on claim 31) are rejected under 35 U.S.C. 103(a) as being unpatentable over Baudel et al., Patent Number: 5,666,499, hereinafter Baudel, Barber et al., Patent Number: 5,586,243, hereinafter Barber, Meriaz, Publication Number: US 2002/0113776, and Lee, Patent Number: 5,999,169.

26. With regard to claims 24 and 35, Baudel, Barber, and Meriaz teach, a system to allowing two different cursors to be moved independently upon a user interface (see column 5, lines 40-58 of Baudel), but doesn't specifically teach controlling the positioning of the first and second cursor base upon the movement of one hand-operated user interface device. Lee teaches, a system where two cursors are used simultaneously on a device, for means such as copying and pasting items (see column 6, lines 43-58), similar to that of Baudel, Barber, and Meriaz, but further teaches two cursors being controlled independently by the same user input device (see column 3, lines 1-22). It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel, Barber, Meriaz, and Lee before him at the time the invention was made to modify the two input device control of Baudel, Barber, and Meriaz, to use the two inputs from a single input device, as did Lee. One would have been motivated to make such a combination because this still allows for two different signals to control the two different cursors, but just contains the two signal input devices to one container, allowing for one hand operation, and freeing up desk space.

27. With regard to claim 25, which teaches a first one of said interactive parameter is generated by a sensor housed within said user interface device, wherein said sensor is adapted to detect movements of said user interface device relative to two axes orthogonal to each other, and wherein a second one of said interactive parameters is generated by an additional user interface sensor coupled to said user interface device, Lee further teaches, in column 3, lines 1-22, the first signal coming from the mouse

moving in a conventional manner (two axis measure related to a mouse ball) and the second signal coming from a joystick-type pointing device disposed therein.

28. With regard to claim 26, which teaches the additional user interface sensor comprises a tract ball, Baudel further teaches, in column 3, lines 45-56, receiving user input from a trackball.

29. With regard to claim 27, which teaches the additional user interface sensor comprises a touchpad, Lee further teaches, in column 7, lines 51-55, user input from a touch pad.

30. Claims 29 (which depends on claim 1) and 37 (which depends on claim 31) are rejected under 35 U.S.C. 103(a) as being unpatentable over Baudel et al., Patent Number: 5,666,499, hereinafter Baudel, Barber et al., Patent Number: 5,586,243, hereinafter Barber, Meriaz, Publication Number: US 2002/0113776, and White, "How Computers Work".

31. With regard to claims 29 and 37, Baudel teaches, in column 5, lines 40-65, a method for editing a electronic document where objects are manipulated via a primary cursor [402], controlled by a primary input device, and a secondary cursor [410], controlled by a secondary input device, where the cursors are independently displayable and independently positionable. Baudel further teaches, in column 3, lines 54-57, the use of a track ball for primary and secondary input.

Baudel, Barber, and Meriaz, however, don't specifically teach the two independently adjustable interactive parameters. White teaches a trackball as is used

in Baudel, but further teaches two independently adjustable parameters for use in controlling the location of the cursor (see pages 224 and 225). It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel, Barber, Meriaz, and White before him at the time the invention was made to use the same design for its track balls. One would have been motivated to make such a combination because White describes the inner workings of the input devices of Baudel, Barber, and Meriaz.

32. Claims 28 and 30 (which depend on claim 1) and Claim 36 and 38 (which depend on claim 31) are rejected under 35 U.S.C. 103(a) as being unpatentable over Baudel et al., Patent Number: 5,666,499, hereinafter Baudel, Barber et al., Patent Number: 5,586,243, hereinafter Barber, Meriaz, Publication Number: US 2002/0113776, Lee, Patent Number: 5,999,169, and White, "How Computers Work".

33. With regard to claims 28 and 36, Baudel, Barber, and Meriaz teaches, a system to allowing two different cursors to be moved independently upon a user interface (see column 5, lines 40-58 of Baudel), but doesn't specifically teach controlling the positioning of the first and second cursor base upon four different interactive parameters of a touchpad. Lee teaches, a system where two cursors are used simultaneously on a device, for means such as copying and pasting items (see column 6, lines 43-58), similar to that of Baudel, Barber, and Meriaz, but further teaches, in column 7, lines 51-55, user input from a touch pad. It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel, Barber, Meriaz, and Lee before him at the time

the invention was made to modify the two input device control of Baudel, Barber, and Meriaz, to use the two inputs from a touchpad, as did Lee. One would have been motivated to make such a combination because this provides an alternate means for controlling different signals to control the two different cursors, known to be a beneficial input mechanism for a laptop or the like.

Baudel, Barber, Meriaz, and Lee, however, don't specifically teach the four different interactive parameters of a touchpad. White teaches a touchpad as is used in Lee, but further teaches the use of four different interactive parameters (two layers each with vertical and horizontal rows of electrons) for controlling the location of the cursor (see page 226). It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel, Barber, Meriaz, Lee, and White before him at the time the invention was made to use the same design for its touch pads. One would have been motivated to make such a combination because White describes the inner workings of the input devices of Baudel, Barber, Meriaz, and Lee.

34. With regard to claims 30 and 38, Baudel, Barber, and Meriaz teaches, a system to allowing two different cursors to be moved independently upon a user interface (see column 5, lines 40-58 of Baudel), but doesn't specifically teach controlling the positioning of the first and second cursor base upon two interactive parameters of a first touchpad and two interactive parameters of a second touchpad. Lee teaches, a system where two cursors are used simultaneously on a device, for means such as copying and pasting items (see column 6, lines 43-58), similar to that of Baudel, Barber, and Meriaz, but further teaches, in column 7, lines 51-55, user input from a touch pad. It would have

been obvious to one of ordinary skill in the art, having the teachings of Baudel, Barber, Meriaz, and Lee before him at the time the invention was made to modify the two input device control of Baudel, Barber, and Meriaz, to use the two inputs from a touchpad, as did Lee. One would have been motivated to make such a combination because this provides an alternate means for controlling different signals to control the two different cursors, known to be a beneficial input mechanism for a laptop or the like.

Baudel, Barber, Meriaz, and Lee, however, don't specifically teach the four different interactive parameters of a touchpad. White teaches a touchpad as is used in Lee, but further teaches the use of four different interactive parameters (two layers each with vertical and horizontal rows of electrons) for controlling the location of the cursor (see page 226). It would have been obvious to one of ordinary skill in the art, having the teachings of Baudel, Barber, Meriaz, Lee, and White before him at the time the invention was made to use the same design for its touch pads. One would have been motivated to make such a combination because White describes the inner workings of the input devices of Baudel, Barber, Meriaz, and Lee.

Response to Arguments

35. The arguments filed on 9-5-2008 have been fully considered but they are not persuasive. Reasons set forth below.

As in initial matter the Applicant argues primarily against the combination of Baudel and Meriaz and for the most part ignores the connecting reference applied in the combination Barber. Barbers teaches, in column 11, line 55 through column 12, line 4,

a single input device for controlling multiple cursors and further shows a case in which multiple pointing devices can be used to locate multiple cursors (see column 14, lines 4-5).

The Applicant argues that Baudel doesn't teach "said first and second cursors are independently displayable and independently positionable at any of said plurality of unique locations of said electronic document" as the secondary cursor 410 is positional in only a limited number of locations of the electronic document.

In response, the Examiner respectfully submits that even if constrained to a window it is still "positionable at any of said plurality of unique locations".

The Applicant argues that the secondary cursor 410 is not described as being displayed on application area 400 but rather a tool palette.

In response, the Examiner respectfully submits that when a document is present within area 400 the tool palette is positioned within the bound of the document window (as can be seen from the figures and the Applicant's example figures) this constrains the motion of the embedded secondary cursor to the application area 400 by its embedded association each pertaining to use in the same application.

The Applicant argues that the proposed combination of Baudel with Meriaz would eliminate the predominate feature of Baudel which uses two hands on two devices to control two cursors.

In response, the Examiner respectfully submits that a user of Meriaz could optionally use the two hands to control the two different control elements of Meriaz, which are contained within the same device. To assist in making this combination the Examiner further relied upon the connecting reference applied in the combination, Barber. Barbers teaches, in column 11, line 55 through column 12, line 4, a single input device for controlling multiple cursors (as in Meriaz) and further shows a case in which multiple pointing devices can be used to locate multiple cursors (as in Baudel) (see column 14, lines 4-5). This shows that it would be obvious to one of ordinary skill in the art at the time of the invention to use either method.

The Applicant argues that Baudel teaches away from the use of one input device.

In response, the Examiner respectfully submits that again Baudel bridges this gap in reasoning by teaching, in column 11, line 55 through column 12, line 4, a single input device for controlling multiple cursors (as in Meriaz) and further shows a case in which multiple pointing devices can be used to locate multiple cursors (as in Baudel) (see column 14, lines 4-5). This shows that it would be obvious to one of ordinary skill in the art at the time of the invention to use either method.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DENNIS G. BONSHOCK whose telephone number is (571)272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis G. Bonshock/
Primary Examiner, Art Unit 2173
11-25-08
dgb